

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Omar Rashid Singleton, # 97618,)	
a/k/a Omar R. Singleton, a/k/a Omar)	C/A No. 8:09-0550-MBS-BHH
Singleton,)	
)	
Plaintiff,)	
)	
vs.)	O R D E R
)	
Alvin S. Glenn Detention Center,)	
Sergeant T. Days, and Lt. J. Fogle,)	
)	
Defendants.)	
)	

Plaintiff Omar Rashid Singleton is a pretrial detainee who currently is confined at the Alvin S. Glenn Detention Center in Columbia, South Carolina. Plaintiff, proceeding pro se, filed a complaint on March 10, 2009, asserting that his constitutional rights have been violated. He brings this action pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bruce H. Hendricks for pretrial handling. On April 20, 2009, the Magistrate Judge issued a Report and Recommendation in which she recommended that Plaintiff's complaint be summarily dismissed as to Defendant Alvin S. Glenn Detention Center. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is

made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. As the Magistrate Judge properly notes, Defendant Alvin S. Glenn Detention Center, as a building or facility, is not a “person” within the meaning of § 1983. The court adopts the Report and Recommendation and incorporates it herein by reference. Accordingly, Plaintiff’s complaint is dismissed, without prejudice and without issuance and service of process, as to Defendant Alvin S. Glenn Detention Center. The case is recommitted to the Magistrate Judge for additional pretrial handling.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

May 12, 2009.